

FILED
1/6/22 9:07 am
CLERK
U.S. BANKRUPTCY
COURT - WDPA

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE: Martin J. Viale and	:	Bankruptcy No.19-23752 GLT
Donna M. Viale,	:	
	:	
Debtors.	:	
	:	Chapter 13
_____	:	
Martin J. Viale and	:	
Donna M. Viale,	:	
	:	
Movants,	:	
	:	
v.	:	Related to Dkt. Nos. 124, 131, 134
	:	Claim No. 3 - NMPC
US Bank, N.A.	:	
	:	
Creditor,	:	
	:	
Ronda J. Winnecour, Ch 13 Trustee	:	
	:	
Respondents.	:	

STIPULATED ORDER MODIFYING PLAN

WHEREAS, this matter is being presented to the Court regarding

- ☐ a motion to dismiss case or certificate of default requesting dismissal
- ☐ a plan modification sought by: _____
- ☐ a motion to lift stay
as to creditor _____
- ☒ Other: Notice of Mortgage Payment Change filed by US Bank, N.A.. at claim
number 3.

WHEREAS, the parties having agreed to settle the matter above conditioned on the terms herein, based on the records of the Court, and the Court being otherwise sufficiently advised in the premises; and there being no adverse impact upon other parties by way of this action, thus no notice is required to be given; now therefore

IT IS HEREBY ORDERED that the

- ☐ Chapter 13 Plan dated
- ☒ Amended Chapter 13 Plan dated October 20, 2021

is modified as follows:

- ☒ Debtor(s) Plan payments shall be changed from **\$ 7,500.00** to **\$7,510.00** per month, effective February 1, 2021;
- ☐ In the event that Debtor(s) fail(s) to make any future Chapter 13 Plan payments, the Trustee or a party in interest may file with the Court and serve upon Debtor(s) and Debtor(s)' Counsel a notice of default advising the Debtor(s) that they have 30 days from the service of the notice in which to cure any and all defaults in payments. If Debtor(s) fail(s) to cure the defaults in payments after having been provided notice under the provision of this Stipulated Order, then the Trustee or a party in interest may submit an Order of Dismissal to the Bankruptcy Court along with an affidavit attesting to a failure to make Plan payments, and the proceedings or case may thereafter be dismissed without prejudice and without further hearing or notice.
- ☐ Debtor(s) shall file and serve _____ on or before _____.
- ☐ If any of the foregoing is not completed by the date specified, the case may be dismissed without prejudice without further notice or hearing upon the filing by the Trustee of an Affidavit of Non-Compliance.
- ☐ If any of the foregoing is not completed by the date specified, the automatic stay as to the property described as _____ may be lifted without further notice or hearing upon the filing by the Creditor herein of an Affidavit of Non-Compliance.
- ☐ Other: _____

IT IS FURTHER ORDERED that to the extent any creditor opposes the relief contained herein, such creditor must file an objection to the same within fourteen (14) days hereof. Should such an objection be timely filed, the Court shall conduct a *de novo* hearing regarding the appropriateness of this Stipulated Order. Should no objection be timely filed, this Stipulated Order shall be deemed final without further notice and/or opportunity for a hearing.

IT IS FURTHER ORDERED that in all other respects, the Plan and Order Confirming Plan shall remain in full force and effect.

SO ORDERED

January 06, 2022



Gregory L. Addonio jah
United States Bankruptcy Judge

Stipulated by:

/s/ Brian C. Thompson, Esquire

Brian C. Thompson

PA ID: 91197

Thompson Law Group, P.C.

125 Warrendale-Bayne Road, Suite 200

Warrendale, PA 15086

(724) 799-8404 Telephone

(724) 799-8409 Facsimile

bthompson@thompsonattorney.com

Stipulated by:

/s/Owen W. Katz, Esquire

Owen W. Katz

PA ID: 36473

Attorney For Chapter 13 Trustee

U.S. Steel Tower, Suite 3250

600 Grant Street

Pittsburgh, PA 15219

412-471-5566

okatz@chapter13trusteedpa.com

cc: All Parties in Interest to be served by Clerk

In re:
Martin J Viale
Donna M. Viale
Debtors

Case No. 19-23752-GLT
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Jan 06, 2022

User: dkam
Form ID: pdf900

Page 1 of 5
Total Noticed: 75

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. § 342(f)/Fed. R. Bank. P. 2002(g)(4).

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 08, 2022:

Recip ID	Recipient Name and Address
db/jdb	+ Martin J Viale, Donna M. Viale, 30 Ashley Road, Gibsonia, PA 15044-7836
cr	+ Bayview Loan Servicing, LLC, ALDRIDGE PITE, LLP, 4375 Jutland Drive, Suite 200, P.O. Box 17933, San Diego, CA 92177-7921
cr	+ Citibank, N.A., as Trustee for CMLTI Asset Trust, PADGETT LAW GROUP, c/o Christopher Giacinto, Esq., 6267 Old Water Oak Road, Suite 203, Tallahassee, FL 32312-3858
cr	+ Dep't of Revenue Office of Attorney General, Anthony T. Kovalchick, 1251 Waterfront Place, Mezzanine Level, Pittsburgh, PA 15222-4227
cr	+ Fay Servicing, LLC as servicer for Citibank, N.A., Friedman Vartolo, LLP, 85 Broad Street, Suite 501, New York, NY 10004-1734
cr	+ LEHMAN XS TRUST MORTGAGE PASS-THROUGH CERTIFICATES, 8950 Cypress Waters Boulevard, Coppell, TX 75019-4620
cr	+ Township of West Deer, GRB Law, 437 Grant Street, 14th Floor, Frick Building, Pittsburgh, PA 15219 UNITED STATES 15219-6101
cr	+ U.S. Bank National Association, RAS Crane, LLC, 10700 Abbott's Bridge Road, Suite 170, Duluth, GA 30097-8461
15128756	+ Advantage Asset, 3722 Southwest Freeway, Houston, TX 77027
15128757	American Express, PO Box 1270, Newark, NJ 07101-1270
15156809	American Express National Bank, c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
15128759	++ BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238 address filed with court:, Bank of America, PO Box 15019, Wilmington, DE 19886
15128760	+ Bank of America Home Loans, PO Box 15222, Wilmington, DE 19886-5222
15128762	Bernstein Law Firm, ATTN: Shawn P. McClure, Gulf Tower, Suite 2200, Pittsburgh, PA 15219
15166609	Citibank, N.A., as trustee for CMLTI Asset Trust, c/o Fay Servicing LLC, PO Box 814609, Dallas TX 75381-4609
15128765	David W. Raphael, Esquire, Grenen & Birsic, PC, One Gateway Center, 9th Floor, Pittsburgh, PA 15222
15128766	+ Deer Lakes SD and Township, c/o Jordan Tax Service, 102 Rahway Road, Canonsburg, PA 15317-3349
15128768	+ Duquesne Light Company, Payment Processing Center, PO Box 67, Pittsburgh, PA 15267-0067
15128770	+ Fifth Third Bank, PO Box 740789, Cincinnati, OH 45274-0789
15163815	+ Fifth Third Bank, PO Box 9013, Addison, Texas 75001-9013
15128776	+ Investment Property Services, Inc., 30 Ashley Road, Gibsonia, PA 15044-7836
15128778	+ John K. Weinstein, Allegheny County Treasurer, PO Box 643385, Pittsburgh, PA 15264-3385
15128780	+ Kwiatkowski Plumbing, PO Box 10942, Pittsburgh, PA 15236-0942
15128782	+ M. Viale Contracting, Inc., 30 Ashley Road, Gibsonia, PA 15044-7836
15128786	+ McClure Johnston Company, 201 Corey Avenue, Braddock, PA 15104-1397
15128787	+ Miller, Limbaugh & Conley, 4767 William Flynn Highway, Allison Park, PA 15101-2456
15128788	+ Mr. Cooper, 8950 Cypress Waters Blvd, Coppell, TX 75019-4620
15128790	+ PA Department of Revenue, Bureau of Compliance - Lien Section, PO Box 280948, Harrisburg, PA 17128-0948
15128792	Phelan Hallinan, LLP, 1617 JFK Blvd., Suite 1400, One Penn Center Plaza, Philadelphia, PA 19103
15148941	+ The Huntington National Bank, c/o Christopher J. Niekamp, 23 S. Main St. Third Floor, Akron, OH 44308-1818
15177127	+ Township of West Deer, GRB Law, c/o Jeffrey R. Hunt, Esq., 437 Grant Street, 14th Floor, Frick Building Pittsburgh PA 15219-6101
15128799	+ Township of West Deer, c/o Jordan Tax Service, 102 Rahway Road, McMurray, PA 15317-3349
15128800	+ U.S. Attorneys Office, Western District of PA, 4000 U.S. Post Office & Courthouse, 700 Grant Street, Pittsburgh, PA 15219-1906
15128801	+ U.S. Bank N.A., c/o Nationstar Mortgage LLC dba Mr Coope, PO Box 619096, Dallas, TX 75261-9096
15147262	+ U.S. Bank National Association, ATTN: Bankruptcy Dept, PO Box 619096, Dallas TX 75261-9096
15128802	UPMC Health Services, PO Box 1123, Minneapolis, MN 55440-1123
15388577	United Asset Management, LLC, c/o FCI Lender Services, P. O. Box 27370, Anaheim Hills, CA 92809-0112
15128769	+ eCast Settlement Corporation, PO Box 29262, New York, NY 10087-9262

TOTAL: 38

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

District/off: 0315-2

User: dkam

Page 2 of 5

Date Rcvd: Jan 06, 2022

Form ID: pdf900

Total Noticed: 75

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/Text: ebnjts@grblaw.com	Jan 06 2022 23:43:00	County of Allegheny, GRB Law, 437 Grant Street, 14th Floor, Frick Building, Pittsburgh, PA 15219, UNITED STATES 15219-6101
cr	+ Email/Text: RASEBN@raslg.com	Jan 06 2022 23:43:00	Lehman XS Trust Mortgage Pass-Through Certificates, RAS Crane, LLC, 10700 Abbotts Bridge Road, Suite 170, Duluth, GA 30097-8461
cr	+ Email/PDF: rmscedi@recoverycorp.com	Jan 06 2022 23:50:56	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
cr	+ Email/Text: ebnpeoples@grblaw.com	Jan 06 2022 23:43:00	Peoples Gas Company LLC, f/k/a Peoples TWP LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave., Pittsburgh, PA 15233-1828
15156809	Email/PDF: bncnotices@becket-lee.com	Jan 06 2022 23:50:55	American Express National Bank, c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
15128758	+ Email/Text: bncmail@w-legal.com	Jan 06 2022 23:44:00	Azurea I, LLC, c/o Weinstein, Pinson & Riley, PS, 2001 Western Avenue, Suite 400, Seattle, WA 98121-3132
15128761	+ Email/Text: BKMailBayview@bayviewloanservicing.com	Jan 06 2022 23:43:00	Bayview Loan Servicing, 4425 Ponce de Leon Blvd, 5th Floor, Miami, FL 33146-1873
15167170	+ Email/Text: BKMailBayview@bayviewloanservicing.com	Jan 06 2022 23:43:00	Bayview Loan Servicing, LLC, 4425 Ponce De Leon Blvd., 5th Floor, Coral Gables, FL 33146-1873
15128774	Email/PDF: Citi.BNC.Correspondence@citi.com	Jan 06 2022 23:50:57	Home Depot Credit Services, Processing Center, Des Moines, IA 50364-0500
15128763	Email/PDF: AIS.cocard.ebn@aisinfo.com	Jan 06 2022 23:50:50	Capital One, PO Box 71083, Charlotte, NC 28272-1083
15151806	Email/PDF: AIS.cocard.ebn@aisinfo.com	Jan 06 2022 23:50:50	Capital One Bank (USA), N.A., by American InfoSource as agent, PO Box 71083, Charlotte, NC 28272-1083
15128764	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Jan 06 2022 23:50:51	Citibank/Staples, 701 East 60th Street North, Sioux Falls, SD 57104-0432
15301396	+ Email/Text: BKMailBayview@bayviewloanservicing.com	Jan 06 2022 23:43:00	Community Loan Servicing, LLC, 4425 Ponce De Leon Blvd., 5th Floor, Coral Gable, FL 33146-1873
15177126	+ Email/Text: ebnjts@grblaw.com	Jan 06 2022 23:43:00	County of Allegheny, GRB Law, c/o Jeffrey R. Hunt, Esq., 437 Grant Street, 14th Floor, Frick Building, Pittsburgh PA 15219-6101
15128783	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Jan 06 2022 23:50:54	Macy's, PO Box 8118, Mason, OH 45040
15165606	+ Email/Text: kbarkley@bernsteinlaw.com	Jan 06 2022 23:44:00	Duquesne Light Company, c/o Bernstein-Burkley, P.C., 707 Grant St., Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
15128771	Email/Text: psnyder@fcbanking.com	Jan 06 2022 23:43:00	First Commonwealth Bank, PO Box 400, Indiana, PA 15701
15128772	+ Email/Text: fnb.bk@fnfg.com	Jan 06 2022 23:44:00	First Niagra Bank, PO Box 514, Lockport, NY 14095-0514
15128773	+ Email/PDF: gecsed@recoverycorp.com	Jan 06 2022 23:50:50	GE Capital Retail Bank, PO Box 985033, Orlando, FL 32896-0001
15128775	+ Email/Text: bankruptcy@huntington.com	Jan 06 2022 23:44:00	Huntington National Bank, 2361 Morse Road, Columbus, OH 43229-5856
15128777	Email/Text: sbse.cio.bnc@mail@irs.gov	Jan 06 2022 23:43:00	IRS, PO Box 7346, Philadelphia, PA 19101-7346
15128779	+ Email/Text: key_bankruptcy_ebnc@keybank.com	Jan 06 2022 23:44:00	KeyBank, N.A., 4910 Tiedeman Road, Brooklyn, OH 44144-2338
15128781	+ Email/PDF: gecsed@recoverycorp.com	Jan 06 2022 23:50:50	Lowe's, PO Box 530914, Atlanta, GA 30353-0914

District/off: 0315-2

User: dkam

Page 3 of 5

Date Rcvd: Jan 06, 2022

Form ID: pdf900

Total Noticed: 75

15128784	Email/Text: mwhcpaoffice@yahoo.com	Jan 06 2022 23:43:00	Mark Heidenreich, CPA, 6125 Penn Drive, Butler, PA 16002
15137864	Email/Text: mwhcpaoffice@yahoo.com	Jan 06 2022 23:43:00	Mark W. Heidenreich, CPA, c/o Mark W. Heidenreich & Co. LLC, 6125 Penn Drive, Butler, PA 16002
15128785	+ Email/Text: bknotices@mbandw.com	Jan 06 2022 23:44:00	McCarthy Burgess & Wolff, 26000 Cannon Road, Bedford, OH 44146-1807
15152153	Email/PDF: pa_dc_claims@navient.com	Jan 06 2022 23:50:51	NAVIENT PC TRUST, C/O Navient Solutions, LLC., PO BOX 9640, Wilkes-Barre, PA 18773-9640
15128789	Email/PDF: pa_dc_claims@navient.com	Jan 06 2022 23:50:50	Navient, PO Box 9640, Wilkes Barre, PA 18773-9640
15128791	+ Email/Text: RVSVCBICNOTICE1@state.pa.us	Jan 06 2022 23:44:00	PA Department of Revenue, Bankruptcy Division, PO Box 280946, Harrisburg, PA 17128-0946
15128794	Email/Text: Bankruptcy.Notices@pnc.com	Jan 06 2022 23:43:00	PNC Bank, 2730 Liberty Avenue, Pittsburgh, PA 15222
15128793	Email/Text: Bankruptcy.Notices@pnc.com	Jan 06 2022 23:43:00	PNC Bank, PO Box 856177, Louisville, KY 40285
15128795	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Jan 06 2022 23:50:51	Portfolio Recovery Associates, POB 12914, Norfolk, VA 23541
15147174	Email/Text: RVSVCBICNOTICE1@state.pa.us	Jan 06 2022 23:44:00	Pennsylvania Department of Revenue, Bankruptcy Division PO Box 280946, Harrisburg, Pa. 17128-0946
15128798	+ Email/Text: bkteam@selenefinance.com	Jan 06 2022 23:43:00	SRMOF II 2011-1 Trust, c/o Selen Finance, LP, Attn: Bankruptcy dept, 9990 Richmond Avneue Suite 400, South Houston, TX 77042-4546
15128796	+ Email/PDF: pa_dc_claims@navient.com	Jan 06 2022 23:50:53	Sallie Mae, 1002 Arthur Drive, Lynn Haven, FL 32444-1683
15128797	+ Email/Text: bkteam@selenefinance.com	Jan 06 2022 23:43:00	Selene Finance, PO Box 422039, Houston, TX 77242-4239
15130236	+ Email/PDF: gecsedl@recoverycorp.com	Jan 06 2022 23:50:55	Synchrony Bank, c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15128803	+ Email/PDF: gecsedl@recoverycorp.com	Jan 06 2022 23:50:50	Wal-Mart Discover, PO Box 960024, Orlando, FL 32896-0024

TOTAL: 38

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		Community Loan Servicing, LLC
cr		Fifth Third Bank, N.A.
cr		Nationstar Mortgage LLC d/b/a Mr. Cooper et al
cr		THE HUNTINGTON NATIONAL BANK
cr		United Asset Management, LLC
15128767		Dell Preferred Account, Payment Processing Center, PO Box 6403
cr	*+	Duquesne Light Company, c/o Bernstein-Burkley, P.C., 707 Grant Street, Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945

TOTAL: 6 Undeliverable, 1 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and

District/off: 0315-2

User: dkam

Page 4 of 5

Date Rcvd: Jan 06, 2022

Form ID: pdf900

Total Noticed: 75

belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 08, 2022

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 6, 2022 at the address(es) listed below:

Name	Email Address
Anthony T. Kovalchick	on behalf of Creditor Dep't of Revenue Office of Attorney General akevalchick@attorneygeneral.gov
Ashleigh Levy Marin	on behalf of Creditor Citibank N.A., as Trustee for CMLTI Asset Trust amarin@feinsuch.com, pabankruptcy@feinsuch.com
Brian Nicholas	on behalf of Creditor Bayview Loan Servicing LLC bnicholas@kmlawgroup.com
Brian C. Thompson	on behalf of Debtor Martin J Viale bthompson@ThompsonAttorney.com blemon@thompsonattorney.com;bthompson@ecf.courtdrive.com;jcastello@thompsonattorney.com;kfinke@thompsonattorney.com
Brian C. Thompson	on behalf of Joint Debtor Donna M. Viale bthompson@ThompsonAttorney.com blemon@thompsonattorney.com;bthompson@ecf.courtdrive.com;jcastello@thompsonattorney.com;kfinke@thompsonattorney.com
Daniel Philip Jones	on behalf of Creditor Community Loan Servicing LLC djones@sterneisenberg.com, bkecf@sterneisenberg.com
Jeffrey R. Hunt	on behalf of Creditor Township of West Deer jhunt@grblaw.com
Jeffrey R. Hunt	on behalf of Creditor County of Allegheny jhunt@grblaw.com
Keri P. Ebeck	on behalf of Creditor Fifth Third Bank N.A. kebeck@bernsteinlaw.com, jbluemle@bernsteinlaw.com
Keri P. Ebeck	on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com jbluemle@bernsteinlaw.com
Kristen D. Little	on behalf of Creditor Nationstar Mortgage LLC d/b/a Mr. Cooper et al pak@logs.com klittle@logs.com;logsecf@logs.com
Lorraine Gazzara Doyle	on behalf of Creditor Fay Servicing LLC as servicer for Citibank, N.A., as trustee for CMLTI Asset Trust lorraine@mvrlaw.com, diane@mvrlaw.com;bankruptcy@friedmanbartolo.com
Mario J. Hanyon	on behalf of Creditor U.S. Bank National Association wbecf@brockandscott.com mario.hanyon@brockandscott.com
Mario J. Hanyon	on behalf of Creditor LEHMAN XS TRUST MORTGAGE PASS-THROUGH CERTIFICATES SERIES 2007-6, U.S. Bank National Association, a wbecf@brockandscott.com, mario.hanyon@brockandscott.com
Michael John Clark	on behalf of Creditor Nationstar Mortgage LLC d/b/a Mr. Cooper et al mclark@squirelaw.com
Office of the United States Trustee	ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour	cmecf@chapter13trusteedpa.com
S. James Wallace	on behalf of Creditor Peoples Gas Company LLC f/k/a Peoples TWP LLC ecfpeoples@grblaw.com, PNGbankruptcy@peoples-gas.com

District/off: 0315-2

User: dkam

Page 5 of 5

Date Rcvd: Jan 06, 2022

Form ID: pdf900

Total Noticed: 75

Sindi Mncina

on behalf of Creditor U.S. Bank National Association smncina@rascrane.com

Thomas Song

on behalf of Creditor Bayview Loan Servicing LLC pawb@fedphe.com

Wade T. Doerr

on behalf of Creditor THE HUNTINGTON NATIONAL BANK wdoerr@bdblaw.com

TOTAL: 21